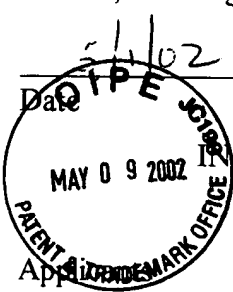


I hereby certify that on the date specified below, this correspondence is being deposited with the United States Postal Service as first-class mail in an envelope addressed to the Commissioner for Patents, Washington, DC 20231.

Date

Jeanne Connelly



THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Michael S. Foster and Michael A. Dorsett
 Application No. : 10/046,334 Confirmation No.: 2396
 Filed : October 26, 2001
 For : METHOD AND SYSTEM FOR PATH BUILDING IN A COMMUNICATIONS NETWORK

COPY OF PAPERS
 ORIGINALLY FILED

Art Unit : 2661
 Docket No. : 030048033US
 Date : May 1, 2002

Commissioner for Patents
 Washington, DC 20231

PETITION UNDER 37 CFR § 1.53(e) TO ESTABLISH PRIOR RECEIPT OF ITEMS
CONSIDERED OMITTED

Sir:

This Petition is being filed under 37 CFR § 1.53(e) in response to the Notice to File Corrected Application Papers dated March 1, 2002 (a copy of which is enclosed).

Applicants assert that the items indicated as omitted (pages 2, 4, 6, 7, 10, 12, 13, 15, 18 and 20 of the specification) were in fact deposited with the U.S. Patent Office with the original application as filed on October 26, 2001. Enclosed is a copy of the stamped return receipt postcard indicating that 29 pages of the specification were enclosed. Also enclosed is a copy of pages 2, 4, 6, 7, 10, 12, 13, 15, 18 and 20 of the specification.

A check in the amount of \$130.00 is enclosed for the petition fee. Any deficiency or overpayment should be charged or credited to Deposit Account No. 50-0665. Applicants respectfully request that, upon grant of the petition, the petition fee be refunded by a credit to

Deposit Account No. 50-0665.

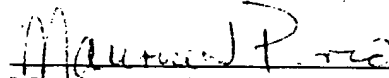
Adjustment date: 07/17/2002 AKELLEY
 05/13/2002 RNEBRAHT 00000057-10046334
 01 FC:122 -130.00 OP
 Repln. Ref: 07/17/2002 AKELLEY 0011284400 -
 DAN:500665 Name/Number:10046334
 FC: 704 \$130.00 CR

RECEIVED
 MAY 31 2002

OFFICE OF PETITIONS

This petition is being submitted in triplicate.

Respectfully submitted,
Perkins Coie LLP



Maurice J. Pirio

Registration No. 33,273

MJP:jc

Enclosures:

Check

Copy of Return Receipt Postcard

Pages 2, 4, 6, 7, 10, 12, 13, 15, 18 and 20 of the specification

Copy of Notice to File Corrected Papers

P.O. Box 1247

Seattle, Washington 98111-1247

(206) 583-8888

Fax: (206) 583-8500

UNITED STATES PATENT & TRADEMARK OFFICE
Washington, D.C. 20231

| REQUEST FOR PATENT FEE REFUND | | | | | | | | | | | |
|---|----------------|---|----------|--------|---|---|----|---|---|---|---|
| 1 Date of Request: <u>0-10-02</u> | | 2 Serial/Patent # <u>10/046,334</u> | | | | | | | | | |
| 3 Please refund the following fee(s): | 4 PAPER NUMBER | 5 DATE FILED | 6 AMOUNT | | | | | | | | |
| <input type="checkbox"/> Filing | | | \$ | | | | | | | | |
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| <input checked="" type="checkbox"/> Petition | 5 | 5-9-02 | \$ 130 | | | | | | | | |
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| 10 REASON: | | Treasury Check | | | | | | | | | |
| <input type="checkbox"/> Overpayment | | Credit Deposit A/C #: | | | | | | | | | |
| <input type="checkbox"/> Duplicate Payment | | 9 <table border="1" style="display: inline-table; text-align: center; width: 150px;"><tr><td>5</td><td>0</td><td>--</td><td>0</td><td>6</td><td>6</td><td>5</td></tr></table> | | | 5 | 0 | -- | 0 | 6 | 6 | 5 |
| 5 | 0 | -- | 0 | 6 | 6 | 5 | | | | | |
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| <u>from 5 we lost papers</u> | | | | | | | | | | | |
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| TYPED/PRINTED NAME: <u>Steven Brantley</u> | | TITLE: <u>Petitions Atty</u> | | | | | | | | | |
| SIGNATURE: <u>[Signature]</u> | | PHONE: <u>306-5683</u> | | | | | | | | | |
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| APPROVED: <u>Alicia Kelly</u> | | DATE: <u>7/17/02</u> | | | | | | | | | |

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